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California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

JAMES STEVENS,

Plaintiff and Appellant,

v.

VONS COMPANIES,

Defendant and Respondent.

2d Civil No. B196755
(Super. Ct. No. B201528)
(Santa Barbara County)
**ORDER MODIFYING OPINION AND
DENYING REHEARING**
[No Change in Judgment]

THE COURT:

It is ordered that the opinion filed herein on January 20, 2008, be modified a follows:

On page 21, lines 3 and 4 of the fourth full paragraph, delete the sentence beginning with the words "No evidence" and ending with the word "appellant" and insert the following sentence in its place:

Although respondent testified that "a couple" of employees had been terminated and "a couple" had been forced to quit for making complaints, he did not provide any actual example of such occurrences.

[There is no change in the judgment.]

Respondent's Cross-Appellant's petition for rehearing is denied.

The request for publication is denied for failure to comply with rule 8.1120a)(2) of the California Rules of Court.